IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 2ND MAY 2007 / 12TH VAISAKHA 1929

WP(C).No. 13505 of 2007(G)

PETITIONER:

M/S.MARARI BEACH, A UNIT OF
M/S.ESCAPADE RESORTS PRIVATE LIMITED,
CASINO HOTEL, WILLINGDON ISLAND, KOCHI - 682 003,
REPRESENTED BY ITS DIRECTOR, MR.MICHAEL DOMINIC.

BY ADV. SRI.JOSEPH MARKOSE
SRI.TERRY V.JAMES

RESPONDENTS:

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1. THE SAELS TAX OFFICER (WC & LT),
COMMERCIAL TAXES, ALAPPUZHA.

2. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, KOLLAM.

3. THE DEPUTY TAHSILDAR (RR),
CHERTHALAI.

BY GOVERNMENT PLEADER SRI. MOHAMMED RAFEEK

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

T.R.RAMACHANDRAN NAIR, J

W.P.(C).NO. 13505 OF 2007

Dated this the 2nd day of May, 2007.

JUDGMENT

This Writ Petition is filed challenging Ext.P5 order passed by the second respondent. As per order dated 3.4.2007. The second respondent stayed the collection of balance tax due and interest for the year 2000-01 to 2003-04, till the disposal of the appeal subject to the condition that the appellant pays 50% of the balance tax due and interest within 15 days from the date of receipt of that order. The second respondent also directed the petitioner to furnish security to the satisfaction of the assessing authority. Today when the matter came up for hearing, it is submitted on behalf of both parties that already appellant has repaid 50% of the balance tax as ordered by the second respondent. The counsel for the petitioner prayed that instead of the direction to furnish security for the balance amount, he may be permitted to execute a bond without sureties. This course is not objected by the Government Pleader also. Therefore the order Ext.P5 stands modified to the extent in regard to the direction to furnish security. The petitioner shall execute a bond without sureties for the balance amount of tax and interest within a period of two weeks from the date of receipt of a copy of this judgment. With the above direction this Writ Petition is disposed of .

T.R.RAMACHANDRAN NAIR, JUDGE.

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